

MOGINRUBIN LLP

Daniel J. Mogin (SBN 95624)
Timothy Z. LaComb (SBN 314244)
4225 Executive Square, Suite 600
La Jolla, CA 92037
Telephone: (619) 687-6611
dmogin@moginrubin.com
tlacomb@moginrubin.com

Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

LATASHA MIXON and ROSANA
KORMAN, individually, on behalf of
themselves and all others similarly situated,

Plaintiffs,

v.

WELLSPACE HEALTH,

Defendants.

Case No: 2:24-CV-02290-DJC-CSK

**JOINT STIPULATION AND ORDER
TO STAY FURTHER BRIEFING ON
DEFENDANT'S MOTION TO
DISMISS**

Judge: Daniel J. Calabretta

Date: January 9, 2025

Time: 1:30 pm

Courtroom: 10, 13th Floor

Action filed: June 14, 2024.

Action removed: August 23, 2024

1 WHEREAS, Plaintiffs Latasha Mixon and Rosana Korman (“Plaintiffs”) filed the
2 Complaint in this litigation in the Superior Court of the State of California, County of
3 Sacramento, on June 14, 2024;

4 WHEREAS, on August 23, 2024, Defendant WellSpace Health (“Defendant”)
5 (collectively with Plaintiffs, the “Parties”) filed a Notice of Removal with this Court;

6 WHEREAS, on September 23, 2024, Plaintiffs filed a Motion for Remand (ECF No. 8).
7 Defendant filed its opposition on October 7, 2024 (ECF No. 12), and Plaintiffs filed their Reply
8 on October 17, 2024 (ECF No. 14).

9 WHEREAS, Defendant filed its Motion to Dismiss Plaintiffs’ Complaint on October 18,
10 2024, and set a hearing date for January 9, 2025, at 1:30 p.m. in this Court (ECF No. 15);

11 WHEREAS, Plaintiffs’ Opposition to Defendant’s Motion to Dismiss must be served
12 and filed no later than November 1, 2024;

13 WHEREAS, Defendant’s Reply Brief in Support of its Motion to Dismiss must be
14 served and filed no later than November 8, 2024;

15 WHEREAS, if the Court grants the Motion for Remand, then the pending Motion to
16 Dismiss will be mooted;

17 WHEREAS, the Parties agree that the most efficient use of the Court’s and their
18 resources is to stay additional briefing on the Motion to Dismiss until the Court decides the
19 Motion for Remand;

20 WHEREAS, the stay requested in this Stipulation will not substantially delay litigating
21 this action on the merits.

22 NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, between
23 Plaintiffs and Defendant, by and through their respective counsel, that:

24 1. All further briefing on Defendant’s Motion to Dismiss shall be stayed until the
25 Court decides Plaintiffs’ Motion for Remand;

26 2. If the Court denies the Plaintiffs’ Motion for Remand, then Plaintiffs shall file
27 their Opposition to Defendant’s Motion to Dismiss within fourteen (14) days of the Order
28

denying remand;

3. Defendant shall file its Reply Brief in Support of Its Motion to Dismiss within seven (7) days of Plaintiffs' Opposition to Defendant's Motion to Dismiss.

Respectfully Submitted,

Dated: October 25, 2024

MOGINRUBIN LLP

/s/ Timothy Z. LaComb
Timothy Z. LaComb (SBN 314244)
Daniel J. Mogin (SBN 95624)
4225 Executive Square, Suite 600
La Jolla, CA 92037
Telephone: (619) 687-6611
dmogin@moginrubin.com
tlacomb@moginrubin.com

Attorneys for Plaintiffs

Dated: October 25, 2024

**GORDON REES SULLY
MANSUKHANI LLP**

/s/ Reid Dammann
Reid Dammann (SBN 49031)
633 West Fifth Street, 52nd Floor
Los Angeles, California 90071
Telephone: (213) 576-5000
rdammann@grsm.com

Attorneys for Defendant

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: October 29, 2024

/s/ Daniel J. Calabretta
THE HONORABLE DANIEL J. CALABRETTA
UNITED STATES DISTRICT JUDGE